

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANDREA STRAUB v. CBS BROADCASTING, INC.	CIVIL ACTION NO. 14-5634
--	---

ORDER

AND NOW, this 23rd day of May, 2016, upon review of Defendant's Motions in Limine (ECFs 68, 69, 70, 71, 72) and all related responses and submissions, and for the reasons stated in the foregoing Memorandum, it is hereby **ORDERED** that:

1. Defendant's Motion to Preclude Plaintiff's Expert from Testifying Regarding Actual Malice (ECF 68) is **GRANTED**. Plaintiff's expert may offer his opinion regarding whether Defendant abided by generally accepted newsroom practices in running its broadcasts, but he may not explain "actual malice" to the jury or offer any conclusion as to whether Defendant's conduct satisfied that standard;
2. Defendant's Motion in Limine to Pre-Instruct the Jury (ECF 69) is held under advisement pending review of any agreed-upon instructions;
3. Defendant's Motion in Limine to Exclude Hearsay (ECF 70) is held under advisement pending an offer of proof at trial;

4. Defendant's Motion in Limine to Preclude Guidelines of Other News Organizations (ECF 71) is held under advisement. The Court requests counsel for Defendant to specify whether its objection goes to the reliability of the expert, the acceptance of the proposed standards throughout the media industry, or otherwise. See Fed. R. Evid. 702. Counsel for Defendant shall submit a supplemental brief limited to five (5) pages within ten (10) days. Counsel for Plaintiff may file a reply limited to five (5) pages within ten (10) days of Defendant's submission; and
5. Defendant's Motion in Limine to Treat Plaintiff as a Public Figure (ECF 72) is **DENIED**.

BY THE COURT:

/s/ Michael M. Baylson

MICHAEL M. BAYLSON, U.S.D.J.